

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JANICE FULTON,)
Plaintiff,)
v.) Case No. 4:16 CV 731 CDP
UNITED STATES OF AMERICA,)
et al.,)
Defendants.)

MEMORANDUM AND ORDER

For the reasons stated on the record at the hearing held in this matter on June 19, 2017,

IT IS HEREBY ORDERED that defendant United States of America's Motion to Enforce Settlement Agreement [56] is granted.

IT IS FURTHER ORDERED that defendant United States of America's Motion to Deposit Settlement Proceeds into the Court's Registry [57] is denied.

IT IS FURTHER ORDERED that no later than June 30, 2017, the United States of America shall remit to attorney Spencer E. Farris settlement funds in the amount of \$17,000 made payable to Spencer E. Farris and directed to him at S.E. FARRIS LAW FIRM, 523 North Laclede Station Road, Suite 116, St. Louis, Missouri 63119. The United States' payment of these funds as

ordered shall satisfy its obligation under its settlement agreement with plaintiff Janice Fulton.

IT IS FURTHER ORDERED that upon receipt of these settlement funds, attorney Farris is entitled to retain therefrom attorney's fees in the amount of \$4250 and expenses in the amount of \$896.12, as proven by affidavit.

IT IS FURTHER ORDERED that after retention of attorney's fees and expenses as set out above, no later than seven days after his receipt of the funds from the United States, attorney Farris shall deposit into the Court registry the amount of settlement funds remaining, that is, \$11,853.88. The Clerk of Court shall deposit these funds in a non-interest-bearing account held in the Treasury of the United States.

IT IS FURTHER ORDERED that upon depositing the funds into the registry of the Court, attorney Farris shall provide written notice of this action and a copy of this Order to all health practitioners, hospitals, clinics, or other institutions as defined under Mo. Rev. Stat. § 430.225, from whom attorney Farris has previously received medical liens in relation to this litigation. This notice shall include the name of the case, the case number, and the location of the Court. Attorney Farris shall file a copy of this notice in the Court file, along with his certificate that he has served the medical providers as required by this Order.

IT IS FURTHER ORDERED that no later than thirty days after receipt of the notice, any of the entities served with notice by attorney Farris who seeks to assert a lien or claim to any of the proceeds of the settlement in this case must file, in this action, a claim in interpleader for the funds deposited in the Court registry. The claims must be supported by appropriate documentation or evidence. If no claims are made to the funds within the thirty-day period, the Court will order the funds disbursed to plaintiff.

Any claim in interpleader and supporting documentation must be served upon plaintiff Janice Fulton – who proceeds in this action pro se – at her most recent address of record as recorded on the docket sheet in this action.

IT IS FURTHER ORDERED that if plaintiff Janice Fulton objects to any claim in interpleader, she shall file her objection in writing with the court within thirty days of receipt of the claim. Any objection must be supported by documentation or evidence. If plaintiff has no objection to any given claim in interpleader, she may file a statement to that effect at any time within the thirty-day period.

Upon notice to the Court that: 1) the United States has remitted payment of \$17,000 to attorney Spencer E. Farris; and 2) attorney Farris has deposited the sum of \$11,853.88 into the registry of the Court, the United States shall be discharged from this action and plaintiff Janice Fulton's claims against the

United States will be dismissed with prejudice. Upon further notice to the Court that attorney Farris has served a copy of this Order and the notice required above upon all respective health practitioners, hospitals, clinics, or other institutions as defined under Mo. Rev. Stat. § 430.225, attorney Farris shall be excused from liability of all medical liens served upon him in relation to this litigation.

Counsel are reminded that because plaintiff is appearing pro se, they must mail any filings to her, as pro se parties do not receive electronic filings.

IT IS FURTHER ORDERED that the plaintiff's motion for attorney's fees [58] is denied as moot.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 20th day of June, 2017.